

**COUNTY BOARD OF HEALTH  
POLICY # HR-03422  
ABSENCES FROM WORK POLICY**

Approval:		
	District Health Director	Date



**1.0 PURPOSE**

This policy contains guidelines for the provision of time off to employees.

**2.0 AUTHORITY**

The County Board of Health (CBOH) Absences from Work Policy is published under the authority of CBOH and in compliance with the following:

**2.1** Rules of the State Personnel Board

**2.2** Classification Policy #HR-03105

**2.3** FLSA & State Compensatory Policy #HR-03427

**2.4** Official Code of Georgia Annotated (OCGA), Sections:

State Law (O.C.G.A. §38-3-90 et seq. - Disaster Volunteer Leave)

State Law (O.C.G.A. §45-20-31 - Organ/Bone Marrow Donation Leave)

State Law (O.C.G.A. §45-20-30 - Blood Donation Time)

State Law (O.C.G.A. §45-20-32, Section (17) – Educational Support Leave)

**3.0 SCOPE**

This policy applies to employees of the County Board of Health.

**4.0 POLICY**

The policy of the County Board of Health is to provide a reasonable amount of time off to employees to assist in managing family, medical, and/or personal situations. The CBOH provides a variety of leaves of absence to eligible employees to accommodate these circumstances.

**5.0 DEFINITIONS AND ACRONYMS**

**5.1** CBOH – County Board of Health

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**5.2 HR – Human Resources**

**5.3 FLSA – Fair Labor Standards Act**

**5.4 DPH – Georgia Department of Public Health**

**5.5 FMLA – Family and Medical Leave Act**

**5.6 Administrative Leave** – Paid time off for specified reasons defined in State law. This paid time off is not charged to accrued leave, and the duration is defined in applicable statute.

**5.7 Immediate Family** – Employee's spouse, child, parent, grandparent, grandchild, brother, and sister, including active step and in-law relationships. Immediate family also includes any other person who resides in the employee's household and is recognized by law as a dependent of the employee.

**5.8 Seasonal Activity** – Work during periods of significantly increased demand, which are of a regular and recurring nature.

**5.9 Workday** – A day an employed is regularly scheduled to work.

**5.10 Organ** – A human organ, including an eye, kidney, etc. that can be transferred from the body of one person to the body of another.

**5.11 Pheresis** – A procedure in which blood is drawn from a donor and separated into its components, some of which are retained. The remainder is returned by transfusion to the donor.

## **6.0 RESPONSIBILITIES**

Human Resources is responsible for issuing and updating procedures to implement this policy.

## **7.0 PROCEDURES**

### **7.1 GENERAL PROVISIONS**

**7.1.1** Absences from work will be charged to available accrued or earned leave as applicable on days on which eligible employees would otherwise work and receive pay.

**7.1.2** Employees who are away from their regular worksite on official business are in work status and are not charged leave.

**7.1.3** Employees are to be charged leave only for the time during which they are absent from work and are not to be required to remain away from duty as a matter of convenience for the purpose of charging leave.

**7.1.4** Leave cannot be used before it is accrued or converted.

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**7.1.5** Employees cannot use leave during periods of absence in which they are receiving state-funded wage substitutes, including, but not limited to Workers' Compensation benefits.

## **7.2 ADMINISTRATIVE LEAVE**

State law provides paid administrative leave to eligible salaried employees for certain activities. Such leave is in addition to, and not charged against, an employee's accrued leave. Administrative leave is available for/during the following:

**7.2.1** Absence Due to Emergency Office Closures,

**7.2.2** Blood Donation Leave,

**7.2.3** Bone Marrow Donation Leave,

**7.2.4** Organ Donation Leave,

**7.2.5** Court Leave,

**7.2.6** Voting Time,

**7.2.7** Education Support Leave,

**7.2.8** Disaster Volunteer Leave,

**7.2.9** Line-of-Duty Injury Leave, also known as Special Injury Leave,

**7.2.10** Leave for Contracting TB or infectious Hepatitis on the job, and

**7.2.11** Military Leave - See HR-03425 Military Leave Policy

## **7.3 ELIGIBILITY TO ACCRUE ANNUAL AND SICK LEAVE**

**7.3.1** Employees on classified or unclassified positions with duties that are expected to continue for at least nine (9) months, and who are scheduled to work at least twenty (20) hours per week, are eligible to accrue annual and sick leave as defined in this policy.

**7.3.2** The following employees are **not** eligible to accrue annual and sick leave:

- a. Hourly paid employees
- b. Employees providing a service on a per diem basis
- c. Rehired retirees
- d. Temporary employees [time-limited duties not expected to continue for at least nine (9) months]
- e. Part-time employees scheduled to work fewer than twenty (20) hours per week.

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## 7.4 ANNUAL LEAVE ACCRUAL

- 7.4.1** Eligible employees accrue annual leave at the end of each pay period provided they are in pay status for the required amount of time. Accrued annual leave will be available for use at the beginning of the pay period after it is earned.
- 7.4.2** Eligible full-time employees accrue annual leave at the end of each semi-monthly pay period provided they are in pay status for at least forty (40) hours. This minimum period is prorated for part-time employees by the percentage of time worked. The percentage of time worked is determined by dividing the scheduled work hours per work week by forty (40).
- 7.4.3** Eligible employees who are not in pay status for the minimum amount of time in a pay period do not accrue annual leave for that pay period.
- 7.4.4** Eligible full-time employees accrue annual leave at the following rates, depending on length of continuous service:
- 7.4.4.1** 5 hours per pay period – 0-60 months (inclusive) semi-monthly
- 7.4.4.2** 6 hours per pay period – 60 1/2-120 months (inclusive) - semi-monthly
- 7.4.4.3** 7 hours per pay period – 120 1/2 months and greater - semi-monthly
- 7.4.5** Eligible employees begin accruing annual leave at the appropriate higher rate on the first day of the pay period after completing the required months of continuous service.
- 7.4.6** The "length of continuous service" begins the first day an employee reports for work in a position entitled to earn leave. Accrual is based on continuous, unbroken service. If there is a break in service, the "length of continuous service" starts over on the date of rehire and the employee begins to accrue annual leave at the lowest semi-monthly accrual rate.
- 7.4.7** When the first day of the pay period is a regularly scheduled non-work day and an employee reports to work on the first work day of the pay period, the length of continuous service is calculated from the first day of the pay period.
- 7.4.8** Eligible part-time employees accrue annual leave at the end of each semi-monthly pay period at the rates specified for full-time employees prorated by the percentage of time worked. (e.g., An employee in pay status for thirty [30] hours per week accrues 75% of the full-time accrual amount.)
- 7.4.9** Eligible employees can accumulate up to a maximum of 360 hours of annual leave. Any annual leave in excess of 360 hours is placed in a forfeited status, but may be restored in cases of illness or disability. Leave accrued beyond 360 hours is forfeited at the close of business on the last day of the month.

## 7.5 USE OF ANNUAL LEAVE

- 7.5.1** Annual leave may be used for any purpose.

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- 7.5.2** Unless an emergency situation exists, employees must request and receive approval from their supervisors before using annual leave.
- 7.5.3** Employees are responsible for planning time off well in advance and notifying their supervisors as soon as possible in order to minimize the interruption to work flow while employees are away.
- 7.5.4** Employees are not required to give specific reasons for requesting annual leave unless a situation such as the leave is for an unscheduled /emergency absence, the organizational unit is short staffed or has a major assignment pending, or the employee is under the restrictions of an Attendance Plan.
- 7.5.5** Employees are required to use FLSA and/or state compensatory time before using annual leave.

## **7.6 SCHEDULING ANNUAL LEAVE**

- 7.6.1** Supervisors are responsible for scheduling annual leave. Prior to approving requests for annual leave, they must consider factors, including, but not limited to:
  - 7.6.1.1** workloads,
  - 7.6.1.2** deadlines,
  - 7.6.1.3** priorities,
  - 7.6.1.4** office coverage, and
  - 7.6.1.5** leave requested by other employees.
- 7.6.2** Supervisors should make reasonable efforts to grant employees' annual leave requests; however, supervisors are not required to grant requested annual leave when the leave would:
  - 7.6.2.1** disrupt work schedules,
  - 7.6.2.2** leave an office uncovered,
  - 7.6.2.3** inconvenience the work force or public, or
  - 7.6.2.4** contribute to employees' not meeting performance expectations.
- 7.6.3** Emergency annual leave requests should be reviewed on a case-by-case basis. Supervisors are to determine whether the absence will be charged to annual leave or unauthorized leave without pay.
- 7.6.4** Employees, who are granted a leave of absence without pay for at least thirty (30) calendar days, may be paid in lump sum for all accrued and unused annual leave that has not been forfeited, up to a maximum of 360 hours.

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## **7.7 TERMINAL LEAVE**

- 7.7.1** When employees have a break in service, all accrued and unused annual leave that has not been forfeited, up to a maximum of 360 hours, will be paid in lump sum to the employee. A "break in service" is a separation from service for a period of one or more days. Leaves of absence without pay and suspensions are not considered breaks in service.
- 7.7.2** When a separation date has been set administratively to permit employees to be paid for terminal leave, the pay status of employees will not be extended for the purpose of granting a holiday or an unanticipated non-work day occurring after the last day in pay status.
- 7.7.3** When employees notify supervisors of separation, they must not be continued on the payroll in leave with pay status for the purpose of increasing the rate of leave accrual or the rate at which accrued leave would be paid.
- 7.7.4** Terminal leave is paid at the salary last received by the employee.
- 7.7.5** Forfeited annual leave is not considered terminal leave, and is lost when there is a break in service.
- 7.7.5.1** Forfeited leave balances may be used for retirement credit purposes if employees later return to State government, however, this is not applicable when reemployment is from a CBOH to a State agency.

## **7.8 SICK LEAVE ACCRUAL**

- 7.8.1** Eligible employees accrue sick leave at the end of each pay period provided they are in pay status for the required amount of time. Accrued sick leave will be available for use at the beginning of the pay period after it is earned.
- 7.8.2** Eligible full-time employees accrue five (5) hours of sick leave at the end of each semi-monthly pay period provided they are in pay status for at least forty (40) hours. The accrual rate does not increase with years of service.
- 7.8.3** The rate of accrual and minimum period during which part-time employees must be in pay status in order to accrue sick leave at the end of the pay period are prorated by the percentage of time worked.
- 7.8.4** Eligible employees who are not in pay status for the minimum amount of time in a pay period do not accrue sick leave for that pay period.
- 7.8.5** Eligible employees can accumulate up to a maximum of 720 hours of sick leave. Any sick leave in excess of 720 hours is placed in a forfeited status, but may be restored in cases of illness or disability. Leave accrued beyond 720 hours is forfeited at the close of business on the last day of the month.

## **7.9 USE OF SICK LEAVE**

- 7.9.1** Upon receiving supervisory approval, an employee may use sick leave for absences due to personal illness or disability; exposure to contagious disease, when attendance on duty would endanger the health of others; dental or medical

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care; illness, accident or death in the immediate family which requires the employee's presence.

NOTE: Generally, sick leave due to the death of a family member should not exceed five (5) work days unless the employee is under the care of a health care provider due to a serious health condition (i.e., depression, etc.).

- 7.9.2** Sick leave for medical or dental care should be limited to the time necessary for the appointment(s) and related travel.
- 7.9.3** Employees who are injured or ill for at least three (3) work days during a period of annual leave may be charged to sick leave if the employee provides satisfactory written evidence supporting the illness during annual leave. A request for substitution of sick leave for annual leave must be made to the agency within two (2) weeks after the employee has returned to duty. No substitution will be allowed for illness that does not last for three (3) or more workdays.
- 7.9.4** Employees who are receiving Short-term or Long-term Disability Insurance benefits through the Flexible Benefits Program cannot use sick leave at the same time. (Employees may use sick leave during the qualifying period.) Employees must request to use annual or personal leave or request to be placed in a leave without pay status to receive Short-term or Long-term Disability Insurance payments.
- 7.9.5** Employees may request to use FLSA and/or state compensatory time in lieu of sick leave. Employees are not, however, required to use FLSA and/or state compensatory time prior to sick leave.
- 7.9.6** When there is a break in service, accrued sick leave balances are generally lost. Forfeited sick leave is also lost when there is a break in service.
- 7.9.7** Forfeited sick leave balances may be used for retirement credit purposes if employees later return to State government, however, this is not applicable when reemployment is from a CBOH to a State agency.
- 7.9.8** Employees who request sick leave after the submission date of their resignation, whether verbal or written, must submit satisfactory evidence, such as a medical statement from the attending health care provider with the sick leave request. Failure to submit a medical statement will result in unapproved leave.

## **7.10 SICK LEAVE REQUEST**

- 7.10.1** Employees are to contact their supervisor or other designated official as soon as possible when sick leave is needed. When employees are incapacitated, supervisors may accept notification regarding the employees' status from other individuals.
- 7.10.2** The CBOH may establish procedures for requesting sick leave based on the needs of the organization.

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## **7.11 EVIDENCE FOR USE OF SICK LEAVE**

**7.11.1** Employees may be required to report each day to their supervisor or other designated official and to provide satisfactory evidence for use of sick leave.

**7.11.1.1** Satisfactory evidence may include a *Certificate of Serious Health Condition Form*, or other medical statement with similar information, completed by the attending health care provider when the reason for leave qualifies as a serious health condition under family and medical leave.

**7.11.1.2** An employee may be required to furnish evidence to support the use of sick leave if the employee uses 17 or more hours of sick leave in a 30 calendar day period or has demonstrated excessive or abusive use of sick leave.

**7.11.2** Excessive and/or abusive use of sick leave is considered a pattern of intermittent, short-term use of sick leave. Establishment of this pattern includes, but is not limited to:

**7.11.2.1** Frequent use of sick leave in conjunction with holidays, scheduled off days or distribution of pay checks;

**7.11.2.2** Frequent use of sick leave when scheduled for undesirable temporary shifts or assignments, or during periods of peak work load;

**7.11.2.3** Requesting sick leave for an absence for which annual leave has previously been denied;

**7.11.2.4** Frequent occurrences of illness during the work day;

**7.11.2.5** Peculiar and increasingly improbable excuses;

**7.11.2.6** Repetitive use of fewer than 17 hours of sick leave in 30-calendar day periods;

**7.11.2.7** Prior written notification of failure to adhere to procedures for approval of leave, inappropriate attendance, or inappropriate use of leave (e.g., Attendance Plan).

**7.11.2.8** A second medical opinion may be sought by the District Health Director or designee when a concern arises regarding a health care provider's statement of medical absence.

## **7.12 SICK LEAVE DENIAL**

**7.12.1** Sick leave may be denied for reasons including, but not limited to, the following:

**7.12.1.1** Excessive or abusive use of sick leave;

**7.12.1.2** Failure to follow procedures for reporting the absence or requesting the use of leave; or,



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#### **7.12.1.3 Falsification of documents.**

- 7.12.2** Supervisors should carefully review the request prior to denying the sick leave, and should be able to support the decision to deny the request.

### **7.13 MEDICAL EXAMINATION**

- 7.13.1** Under limited circumstances and ONLY with the approval of the District Health Director an employee may be required to undergo a medical (physical and/or psychiatric) examination at the expense of the agency. This examination may be required prior to approving use of accrued leave, approving a leave of absence without pay, allowing an employee to return from leave with pay, or allowing an employee to return from a leave of absence without pay.

- 7.13.2** An employee is required to authorize the release of the results of the medical examination to an authorized official. The results must be considered confidential and are to be shared with individuals only on a "need to know" basis.

- 7.13.3** Upon receipt of the results, a determination regarding request for use of leave, leave of absence without pay or return to work will be made.

- 7.13.4** If a determination is made to not allow the employee to return to work, appropriate action, which includes but is not limited to, the following should be taken.

- 7.13.4.1** The employee may be allowed to use accrued leave.

- 7.13.4.2** The employee may request and be granted an authorized (regular) or contingent leave of absence without pay.

- 7.13.4.3** The employee may be referred to a treatment program.

- 7.13.4.4** If a determination is made to allow the employee to return to work, the employee may return without restrictions or with restrictions that can be reasonably accommodated.

### **7.14 CONVERTING SICK LEAVE TO PERSONAL LEAVE**

- 7.14.1** An employee who has accumulated a balance of more than 120 hours of sick leave as of November 30, are eligible to convert up to 24 hours of sick leave in excess of 120 hours to personal leave. This conversion must be made no later than December 31 of that year for use in the following calendar year.

- 7.14.2** Eligible employees must provide written notification or use the approved time keeping system, prior to December 31 to indicate their intent to convert up to 24 hours of sick leave to personal leave for the next calendar year. Once sick leave is converted to personal leave, it cannot be changed back.

### **7.15 USE OF PERSONAL LEAVE**

- 7.15.1** Personal leave may be used for any reason upon receiving supervisor approval of the leave request.

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- 7.15.2** Employees may request to use FLSA and/or state compensatory time in lieu of using personal leave.
- 7.15.3** Personal leave is only available for use by employees during the calendar year following the conversion request. Any personal leave that is not used during the calendar year (by December 31) is lost.
- 7.15.4** When there is a break in service, personal leave is lost.
- 7.15.5** Normally, employees will need to provide at least 24 hours' advance notice of intent to use personal leave.
- 7.15.6** Employees are not required to give specific reasons for requesting personal leave, unless a situation such as the leave is for an unscheduled/emergency absence, the organizational unit is short staffed or has a major assignment pending, or the employee is under the restrictions of an Attendance Plan.
- 7.15.7** Supervisors must make every reasonable effort to grant requests to use personal leave.

## **7.16 RESTORING FORFEITED LEAVE**

- 7.16.1** Annual and/or sick leave forfeited during the current period of employment may be restored to cover periods of absence due to employees' personal illness/disability or the illness/disability of immediate family members. All paid leave and compensatory time must be exhausted prior to restoring forfeited leave.
- 7.16.2** Employees are to submit written requests to their supervisors or use the approved time keeping system, which outline the circumstances that support the restoration of forfeited leave. Supporting documentation, which may include a statement from the attending health care provider, should be included unless the reason for absence has been previously established.
- 7.16.3** Supervisors are to forward requests to restore forfeited leave to Human Resources for review and approval.

## **7.17 TRANSFER OF LEAVE**

- 7.17.1** The CBOH will accept leave balances transferred from applicable state agencies, authorities, Community Service Boards, County Boards of Health, and the Board of Regents, between positions entitled to earn leave provided there is not a break in service. The annual, sick, personal and forfeited leave balances will transfer with the employee.
- 7.17.2** If leave is accrued at a different rate with the previous employer, the employee will not be given credit for more leave than the employee could have earned if continuously employed with the CBOH.

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## **7.18 EMPLOYMENT IN TWO POSITIONS**

**7.18.1** Employees who are employed in two (2) positions within Local and/or State government at the same time, and are entitled to earn leave in both positions, accrue and use leave independently in each position. When employment ends in one (1) of the positions, but not both, leave balances are handled as follows:

**7.18.1.1** If the positions are in different State departments, terminal leave is paid for all accrued and unused annual leave. Any accrued sick and personal leave balances are lost.

**7.18.1.2** If the positions are within the same Local or State department; annual, sick and personal leave balances for both positions are combined and are available for use in the remaining position. If leave balances exceed the maximum after they are combined, leave in excess of the maximum is placed in a forfeited status.

## **7.19 RESTORATION OF LEAVE**

**7.19.1** The following leave provisions apply to eligible employees who are reinstated or re-employed with a CBOH within one (1) year of the effective date of a staff reduction that resulted in their separation from employment.

**7.19.1.1** Any previously accumulated and unused sick leave will be restored;

**7.19.1.2** Any forfeited leave accumulated at the time of the staff reduction will also be credited to employees, but can only be restored and used under the conditions identified in this policy;

**7.19.1.3** The period of absence between the date of separation and the date of re-instatement or re-employment will not be considered a break in service for graduated leave accrual.

## **7.20 CREDITABLE SERVICE RETIREMENT**

**7.20.1** Forfeited leave time (which consists of forfeited annual leave, forfeited sick leave, and accrued sick leave) and lost leave, due to a break in service, may be converted to creditable service at the time of retirement if at least 960 hours has been accumulated.

## **7.21 DISASTER VOLUNTEER LEAVE**

**7.21.1** Employees who are certified disaster service volunteers of the American Red Cross are eligible for leave with pay to participate in specialized disaster relief activities based on the following conditions.

**7.21.1.1** There must be a disaster within Georgia or a neighboring state with a reciprocal agreement that has been declared by the President or a State Governor.

**7.21.1.2** The American Red Cross must request the employees' services.

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**7.21.2** Employees are to submit written requests for disaster volunteer leave, along with supporting documentation to their supervisor. Requests will be reviewed and either approved or denied on a case-by-case basis by the District Health Director/Appointing Authority.

**7.21.3** Disaster volunteer leave may be granted for up to fifteen (15) workdays (not to exceed 120 work hours) in a 12-month period.

**7.21.4** Employees who do not qualify for disaster volunteer leave, but want to participate in disaster relief activities, may request to use annual leave, personal leave, compensatory time or leave without pay.

## **7.22 ORGAN DONATION LEAVE**

**7.22.1** A leave of absence with pay for thirty (30) calendar days will be granted to employees who donate an organ for transplantation.

**7.22.2** Employees requesting leave to donate an organ must provide to their supervisor or other designated official a statement from the medical practitioner performing the transplant or from the hospital administrator. This statement must certify that the employee is donating an organ for transplantation.

**7.22.3** If the organ donation does not take place, any absence will be charged to accrued leave, personal leave, compensatory time or leave without pay.

## **7.23 BONE MARROW DONATION LEAVE**

**7.23.1** Leave of absence with pay for seven (7) calendar days will be granted to employees who donate bone marrow for transplantation.

**7.23.2** Employees requesting leave to donate bone marrow must provide to their supervisor or other designated official a statement from the medical practitioner performing the transplant or from the hospital administrator. This statement must certify that the employee is donating bone marrow for transplantation.

**7.23.3** If the bone marrow donation does not take place, any absence will be charged to accrued leave, personal leave, compensatory time or leave without pay.

## **7.24 BLOOD DONATION**

**7.24.1** Employees are to be allowed time during work hours to donate blood, blood platelets or granulocytes (white blood cells) through the pheresis process.

**7.24.2** Employees must request and receive prior approval from their supervisors to be away from the work area for blood donation. Supervisors may schedule the time to be used for this purpose based on the needs of the organization.

**7.24.3** Time away from work is for the purpose of donating blood, platelets or granulocytes and to recover from the donation. Employees who do not use the time allowed, as specified below, at the time of each donation, do not accrue any right to additional absence or payment.

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**7.24.3.1** Up to two (2) hours per donation [no more than eight (8) hours per year] may be granted when employees donate blood.

**7.24.3.2** Up to four (4) hours per donation [no more than sixteen (16) hours per year] may be granted when employees donate blood platelets or granulocytes through the pheresis process.

**7.24.4** Employees who donate blood, platelets or granulocytes on non-work time are not to receive time off from work due to the donation.

## **7.25 EDUCATION SUPPORT LEAVE**

**7.25.1** To supplement work-life balance options for CBOH employees, CBOH provides up to eight (8) paid hours of leave per calendar year to eligible employees for the purpose of promoting education in Georgia including leave for job-related education. Such leave is in addition to, and not charged against, an employee's accrued leave.

**7.25.1.1** Such activities may range from early care and learning through higher education. CBOH maintains the authority to determine, in accordance with the provisions outlined in this policy, whether an activity would qualify for education support leave.

**7.25.1.2** Education support leave is not available to support education outside of the state of Georgia.

**7.25.1.3** Leave is designed to be used for active learning for the employee or support for education.

**7.25.1.4** Employees must not receive pay for services they perform while using education support leave.

**7.25.1.5** Employees must receive prior approval from their supervisor before providing the services for which they are requesting education support leave. CBOH has discretion to require written verification from a school administrator, teacher, or other official prior to approval.

**7.25.1.6** CBOH maintains discretion to approve or deny requests for education support leave based on operational needs, or other reasons, such as conduct, attendance, or unsatisfactory work performance. CBOH will ensure that denials are applied consistently for all similarly situated employees.

**7.25.1.7** Use of education support leave for any political purpose or agenda is prohibited.

**7.25.2** Eligibility: All eligibility criteria defined below must be met to qualify for education support leave.

**7.25.2.1** Must be a non-temporary, full-time employee of CBOH

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**7.25.2.2** Used only for activities directly related to student achievement and academic support.

**7.25.2.3** Employees cannot currently be on **FMLA**.

**7.25.2.4** Employee may be, but is not required to be, the parent of a student.

**7.25.3** Education support leave may be taken in increments of less than 8 hours utilizing the same minimum period an agency has established for other forms of paid leave.

**7.25.4** Education support leave does not accumulate, and unused leave does not rollover into subsequent calendar years. Rather, eligible employees may use education support leave for qualifying absences that occur during their regular scheduled work hours, up to a total of 8 hours in any calendar year.

**7.25.5** Employees can use no more than 8 paid hours of education support leave in a calendar year regardless of transfer from one CBOH employer to another. Each CBOH employer is responsible for conducting due diligence to ensure an employee has not exhausted education support leave prior to approving the paid leave.

**7.25.6** Education support leave carries no cash value if unused. There will be no payout for unused education support leave upon termination.

**7.25.7** Educational support leave cannot be substituted for any other type of leave including sick leave for a medical condition.

## **7.26 VOTING TIME**

**7.26.1** Employees are encouraged to vote. If a full-time employee's work schedule does not allow at least two (2) hours either before or after work to vote, the difference in time may be granted to employees for voting purposes. This time is not charged to annual leave, personal leave, compensatory time or leave without pay.

**7.26.2** Employees not eligible for voting time may request to use accrued annual leave, personal leave, compensatory time or leave without pay to vote.

## **7.27 COURT LEAVE**

**7.27.1** Court leave is available to eligible employees on all days that employee is summoned for jury duty, subpoenaed or otherwise ordered to attend a judicial proceeding by any federal, state or local court. Court leave may also be used for out-of-state proceedings.

**7.27.2** Classified and unclassified employees who are scheduled to work on a day they are ordered to attend a judicial proceeding are eligible for court leave, unless they are litigants, defendants or other principal parties or have any other personal or familial interest in the proceedings.

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**7.27.2.1** An employee summoned to appear as a witness or required by court to attend a proceeding will be paid in the same manner as an employee serving on a jury. However, an employee will not receive paid leave to attend a trial or an arbitration hearing in which he/she:

- a. Is charged with a crime;
- b. Is a plaintiff or defendant;
- c. Voluntarily appear as a witness;
- d. Is a witness in a case arising from or related to his/her outside employment or outside business activity;
- e. Is testifying for a fee as an expert witness; or
- f. Has any other personal or familial interest in the proceeding.
- g. In such circumstances, the employee must use annual leave, personal leave, or take leave without pay.

**7.27.2.2** Employees who are required to appear in court on behalf of CBOH are in work status and are not to be placed on court leave.

**7.27.3** As soon as employees become aware of the need for court leave, they must provide documentation (e.g., a copy of the summons, subpoena or other judicial order) to their supervisor as a prerequisite for approval of court leave.

**7.27.4** Court leave includes the time that an employee's presence is actually required by the judicial proceeding and any reasonable time needed to prepare for and recuperate from the ordered duty.

**7.27.5** Employees are required to report back to work as soon as they are released from jury duty or other court ordered appearance. Management may require verification from the court showing the time served. A failure to make a timely return from court leave is treated as an unexcused absence.

**7.27.6** Employees will not be discharged, disciplined or otherwise penalized because of absences from work for the purpose of attending a judicial proceeding in response to a subpoena, summons for jury duty, or other court order or process which requires attendance at judicial proceedings. In addition, court leave is to have no effect on performance evaluations.

**7.27.7** Eligible employees will receive pay while on jury duty for the days they are otherwise scheduled to work. Employees will be paid only for the time they are required to appear by the court, plus any additional time that is reasonably necessary, in the opinion of the agency, for the employee to prepare for or return from jury duty. Employees will not receive any compensation for time spent serving as a juror that exceeds the employee's regularly scheduled duty hours.

**7.27.7.1** Eligible nonexempt employees will receive their straight time base pay rate times the number of hours they would otherwise have worked.

**7.27.7.2** Exempt employees will receive their normal salary.

**7.27.7.3** Employees may keep any juror fees and travel allowances they received from the Court.

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## **8.0 HOLIDAYS**

- 8.1** The State observes 12 public holidays each calendar year on dates declared by the Governor. State offices are closed and employees do not report for work on declared holidays, except as noted below.

**8.1.1** Operations, such as the state laboratory will remain open on holidays, and designated staff will report for work.

**8.1.2** In emergency situations or to meet essential business needs, DPH may require one or more employees to work on a holiday with prior approval.

## **8.2 ELIGIBILITY FOR PAID HOLIDAY**

**8.2.1** Salaried employees are eligible to receive paid time off for State holidays they observe, as provided in this section.

**8.2.2** To be eligible for pay on a State holiday, an employee must be in pay status for the full scheduled work shift on either the workday immediately before or immediately after the holiday. "Pay status" means either working or taking approved paid time off.

**8.2.3** Employees are not paid for a holiday that occurs the day before they enter or reenter State service.

**8.2.4** Employees are not paid for a holiday that occurs the day after they leave State employment.

**8.2.5** Employees are not paid for a holiday that occurs on their last day of State employment, unless the holiday is at the end of their normal workweek. (See item 6, below, for an exception.)

**8.2.6** The following employees are not eligible for paid Stat holidays:

**8.2.6.1** All temporary employees,

**8.2.6.2** All hourly employees, and

**8.2.6.3** Active, salaried, non-temporary employees who are rehired retirees with the Employees' Retirement system of Georgia while receiving retirement annuity payments during the first 1040 hours of work performed in the calendar year.

**8.2.7** Pay for Holidays and Provisions for Employees on Alternative Work Schedules:

**8.2.7.1** Employees eligible for a paid holiday receive pay for the time they would otherwise have worked that day, up to a maximum of eight (8) hours.

**8.2.7.2** DHP will allow the following options for full-time salaried employees on alternative work schedules:



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**8.2.7.2.1.** Revert to an 8x5 work schedule during the week of the holiday (or for a 2-week cycle for employees on a 9-hour workday schedule);

**8.2.7.2.2.** Use paid leave to supplement the holiday pay and receive full pay for the day; or

**8.2.7.2.3.** Work additional time during the week of the holiday to remain in pay status the full workweek.

**8.2.7.3** DPH will allow full-time salaried employees on alternative work schedules whose scheduled day off falls on a holiday to revert to an 8x5 schedule, as indicated in Section 8.2.7.2.1 above, or allow them to remain on their alternative schedule and receive equivalent time off for the holiday, as defined below.

Equivalent Time Off or Deferred Holiday Payout:

**8.2.7.3.1** Equivalent time off (i.e., deferred holiday time) will be made available to employees who would otherwise have been eligible for a paid workday but were either required to work on part or all of a holiday or whose scheduled day off occurred on a holiday.

**8.2.7.3.2** Equivalent time off to observe the holiday will not exceed the time actually worked on the holiday or eight (8) hours, whichever is less.

**8.2.7.3.3** Employees are required to use deferred holiday time before using annual leave, sick leave, personal leave, or compensatory time.

**8.2.7.3.4** Deferred holiday time must be used within 30 days after the day proclaimed as a holiday, unless there are extenuating circumstances.

**8.2.7.3.5** An employee who separates from DPH will be paid for any deferred holiday time not used or paid out prior to separation.

**8.2.8** Request to Observe Other Religious Holiday:

**8.2.8.1** An employee may request priority consideration for time off from work to observe a religious holiday that is not observed as a State Holiday. To receive priority consideration, the request should be made at least seven (7) calendar days in advance.

**8.2.8.2** An employee may request priority consideration for up to three (3) workdays in each calendar year.

**8.2.8.3** A request by an employee for time off for religious observance cannot be denied unless:

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**8.2.8.3.1.** The duties performed by the employee are urgently required, and the employee, in the department's judgement, is the only person available who can perform the duties; or,

**8.2.8.3.2.** The department can otherwise show that accommodating the request would be an undue hardship.

**8.2.8.4** Any paid time off granted to observe a religious holiday will be deducted from the employee's accrued annual leave, personal leave, compensatory time, or deferred holiday time available at the time of the observance. If the employee does not have sufficient annual leave, personal leave, compensatory time, or deferred holiday time to cover the period of absence, the department will allow leave without pay for the absence, unless doing so would be an undue hardship.

**9.0** For cross reference leave purposes refer to HR-03421 Administration of Employee Leave Program Policy.

## **10.0 REVISION HISTORY**

<b>REVISION #</b>	<b>REVISION DATE</b>	<b>REVISION COMMENTS</b>
<b>0</b>	<b>January 13, 2020</b>	<b>Initial Issue</b>

## **11.0 RELATED FORMS**

*HR-03421A Request for Approval of Leave Form*

# COUNTY BOARD OF HEALTH

## REQUEST FOR APPROVAL OF LEAVE

Employee's Name (Print or Type): \_\_\_\_\_

This is to request approval of the following leave:

From:		Thru:		Amount of Leave		Type of Leave	Approved (Initials)
_____	_____ <input type="checkbox"/> am _____ <input type="checkbox"/> pm	_____	_____ <input type="checkbox"/> am _____ <input type="checkbox"/> pm	_____	_____ : _____ Hrs Mins	_____	_____
Date	Time	Date	Time				
_____	_____ <input type="checkbox"/> am _____ <input type="checkbox"/> pm	_____	_____ <input type="checkbox"/> am _____ <input type="checkbox"/> pm	_____	_____ : _____ Hrs Mins	_____	_____
Date	Time	Date	Time				
_____	_____ <input type="checkbox"/> am _____ <input type="checkbox"/> pm	_____	_____ <input type="checkbox"/> am _____ <input type="checkbox"/> pm	_____	_____ : _____ Hrs Mins	_____	_____
Date	Time	Date	Time				
_____	_____ <input type="checkbox"/> am _____ <input type="checkbox"/> pm	_____	_____ <input type="checkbox"/> am _____ <input type="checkbox"/> pm	_____	_____ : _____ Hrs Mins	_____	_____
Date	Time	Date	Time				
_____	_____ <input type="checkbox"/> am _____ <input type="checkbox"/> pm	_____	_____ <input type="checkbox"/> am _____ <input type="checkbox"/> pm	_____	_____ : _____ Hrs Mins	_____	_____
Date	Time	Date	Time				

### Leave Balance Before Requested Leave:

Annual \_\_\_\_\_ Sick \_\_\_\_\_ Personal \_\_\_\_\_

### Leave Codes

AL Annual Leave	CL Court Leave*
SL Sick Leave	LWOP Leave Without Pay**
ASSL Annual to Supplement Sick	FLSA FLSA Compensatory Time
PL Personal Leave	SCT State Compensatory Time
FUL Furlough	FML/A Family Medical Leave/Annual
BDL Blood Donation Leave	FML/S Family Medical Leave/Sick
ML Military Leave*	FML/P Family Medical Leave/Personal
ESL Education Support Leave	

\* Copy of orders or subpoena must be attached

\*\* Personnel Action Request form must be submitted

**REQUESTED BY:**

**APPROVED BY:**

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Supervisor's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date